Outgans C0150015

Page 1 of 2

Suzanne Steab - RE: Citation 10048

#3502 Q

From: To: Karl Houskeeper John Gefferth

Date:

3/15/2010 1:09 PM

Subject:

RE: Citation 10048

CC:

Dana Dean; Daron Haddock; Ian McClain; Jim Smith; Jimmy Brock; Jona...

**Attachments:** 

DSCN1267.JPG; DSCN1268.JPG; DSCN1269.JPG; DSCN1270.JPG; DSCN1271.JPG; DSCN1272.JPG; DSCN1263.JPG; DSCN1264.JPG; DSCN1265.JPG; DSCN1266.JPG;

20100315121655.pdf

John,

Thanks for your reply and concerns.

Pictures were taken during the inspection. The correct reference is R645-301.528.330, specifically R645-301.528.331. The violation (10048) has been modified to depict the omission of the 301 reference. During my inspection there was no residual snow or mud to indicate that snow melt had occurred only a day before. The ground was damp toward the hillside. The area of the violation was focused on the parking area at the main facilities toward the hillside which encompasses the north side of the parking lot.

I spoke with Ian McClain on the afternoon of the issuance of the violation (03/11/2010) and he indicated that the noncoal waste had been gathered. I do plan on verifying that the violation has been abated prior to terminating the violation. The abatement deadline was listed as March 16, 2010.

For your convenience I have attached is a copy of the modified Citation and pictures taken during the inspection.

Thanks, Karl

>>> "Gefferth, John" <JohnGefferth@consolenergy.com> 3/15/2010 12:07 PM >>>

Karl

Do you have pictures of the area you wrote the violation on??

It was not clear on the citation what the extent of the area was/is.

Also do you have the regulation referenced in the citation, There is not a R645-528.330 regulation in DOGM rules.??

If you citation was referring to the small amount of soda cans, fast food cups and paper items in the hourly parking lot.... Please note that the area was covered with 3 to 4 feet of snow for at least 4 weeks and that the day you were there was probably the first day that the hourly parking lot was snow free. When the mine received the citation they were able to clean up the paper in less than 20 minutes. The volume was less than half of a standard trash can.

If the citation is referring to a different area please advise so the mine can take appropriate abatement action prior to your deadline of Tuesday March 16.

I am confident that if you had asked the mine to gather the paper products up that they would have complied prior to the end of your inspection.

In the future if you feel that the mine in unresponsive to your requests, please feel free to contact me prior to leaving the property.

John Gefferth

From: Karl Houskeeper [mailto:KARLHOUSKEEPER@utah.gov]

Sent: Thursday, March 11, 2010 3:15 PM

To: McClain, Ian; Gefferth, John; Behling, Steve; Kirschbaum, Tim

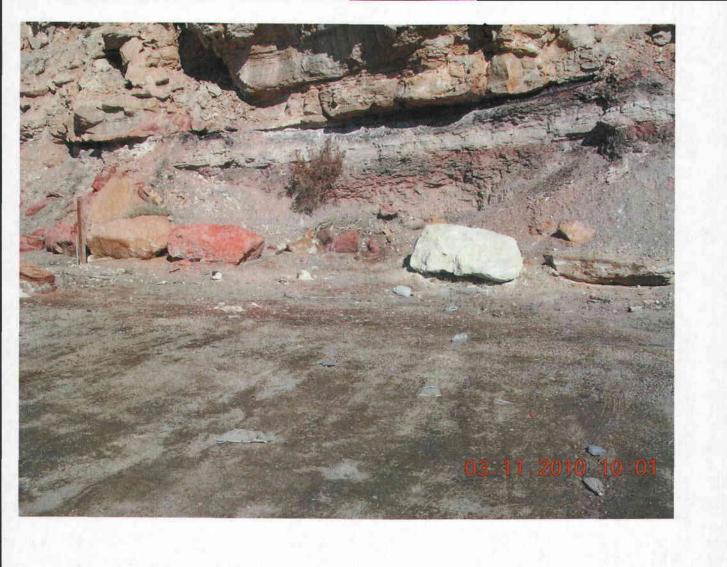
Cc: Dana Dean; Daron Haddock; Jim Smith; OGMCOAL@utah.gov; Suzanne Steab

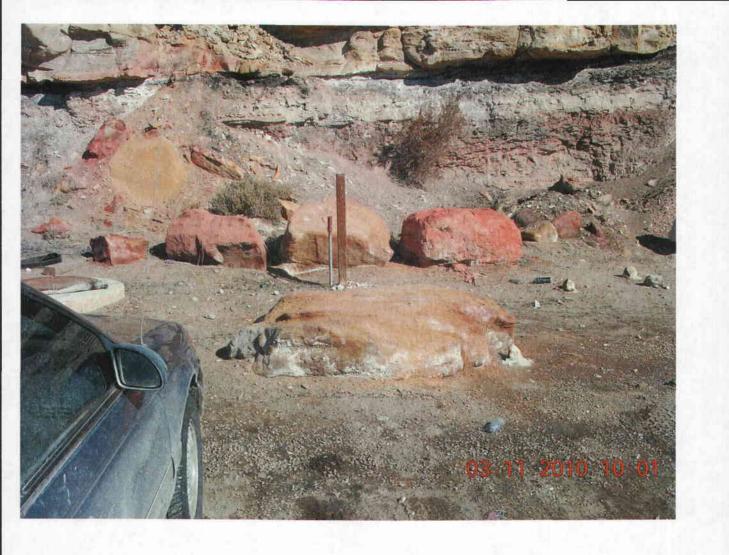
Subject: Citation 10048

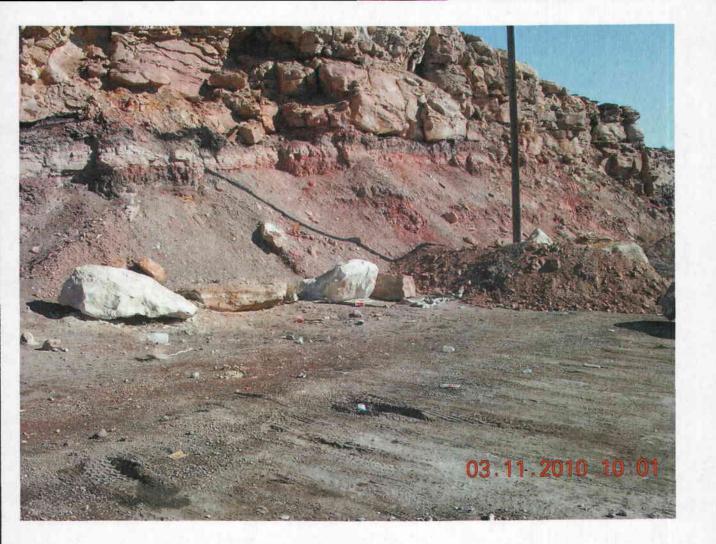
Please find attached Citation 10048. The hard copy is being sent certified return receipt mail 7008 0150 0002 0896 5168.

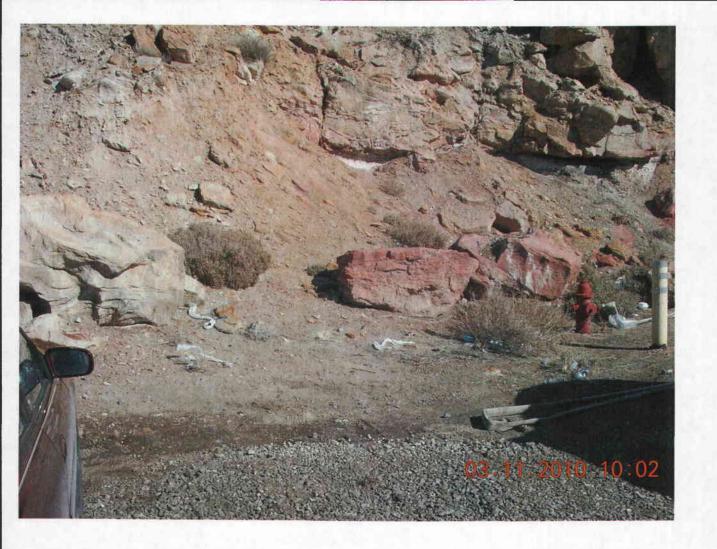
Thanks, Karl

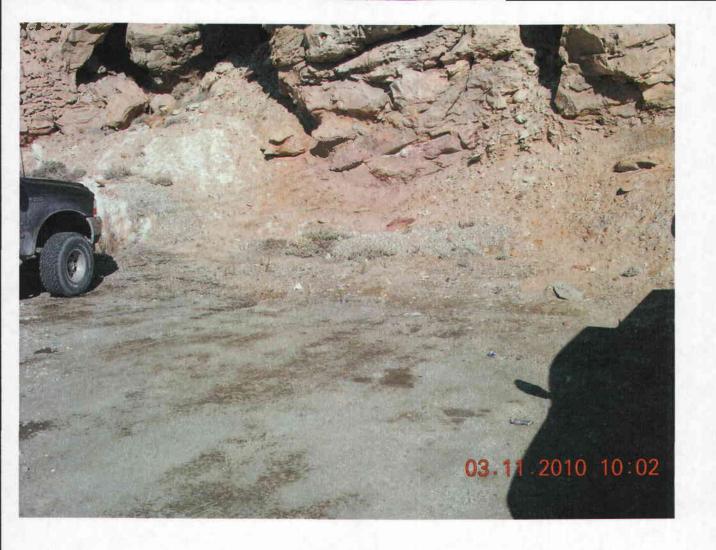
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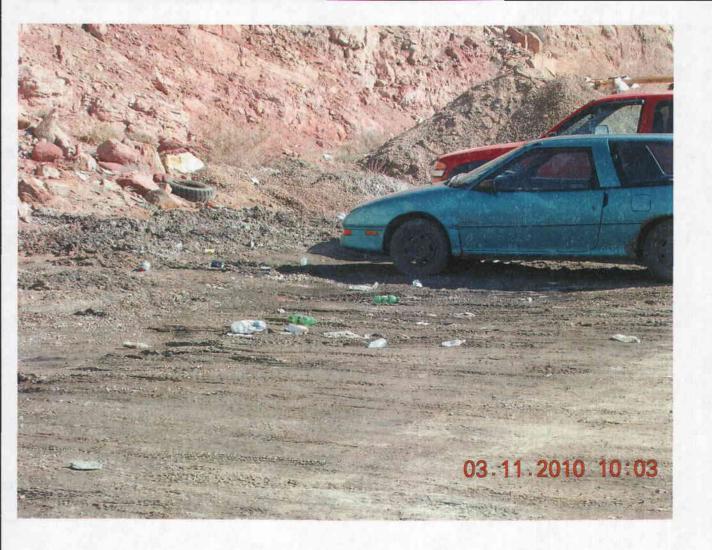


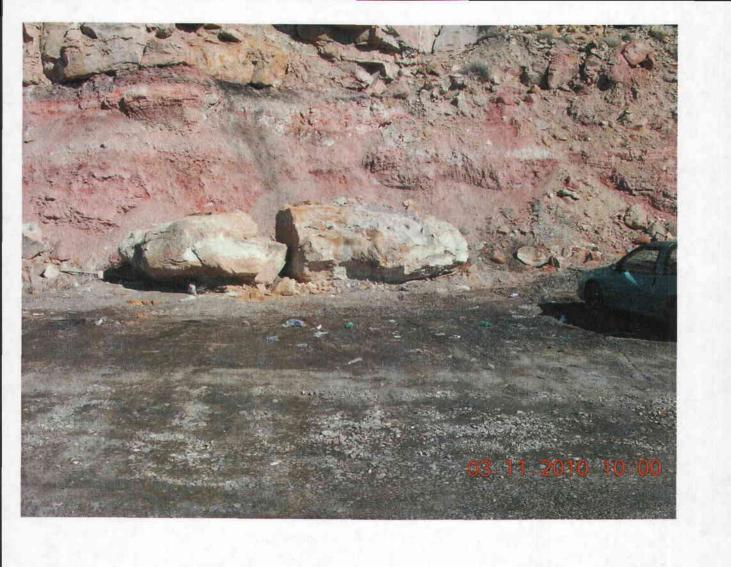




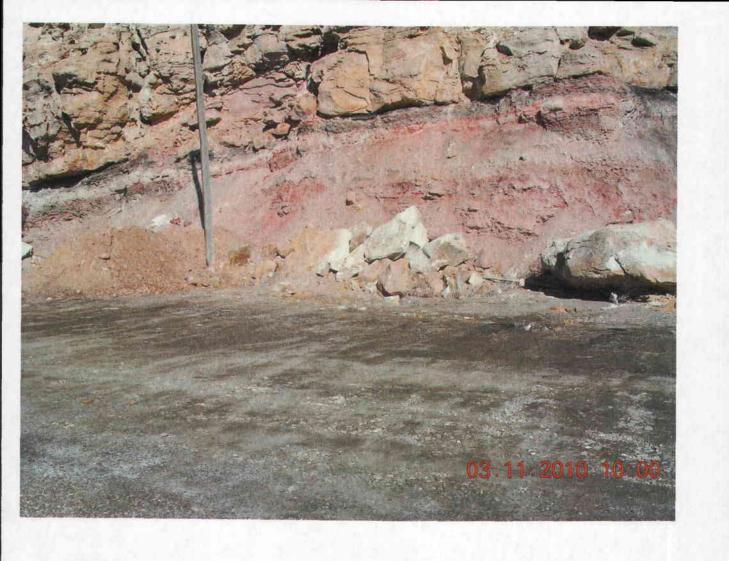


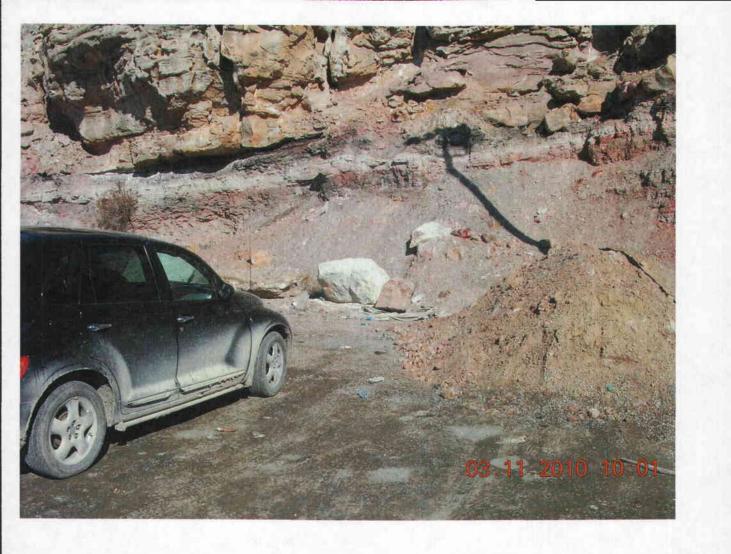












				CORNER.			
Action Taken on Existing Citation Utah Coal Regulatory Program 1594 West North Temple, Salt Lake City, UT 84114 Phone: (801) 538 - 5285 Fax: (801) 359-3940			Action on Citation#:			10048	
			Permit Number:		ber:	C0150015	
			Date Cit. Issued:		ued:	03/11/2010	
MODIFICATION of TERMINATION			VACATION of				
NOTICE OF VIOLATION CESSATION ORDER (CO) FAILURE TO ABATE CO						ABATE CO	
Permittee Name: Consolidation Coal Company			Inspector Number and ID: 49 KHOUSKEE				
Mine Name: Emery Deep Mine			Date and Time of Action: 03/15/2010 12:30 pm				
Certified Return Receipt Number: E-Mailed & Regular Mail			Date and Time of Service: 03/15/2010 1:00 pm				
In accordance with the provisions of the Utah Coal Mining and Reclamation Act, Utah Code Ann. § 40-10-1 et. seq. (Act), the above referenced Citation is:							
✓ Modified as follows:							
The violation is being modified to show the correct reference R645-301.528.330 specifically R645-301.528.331.							
Reason for modification:							
Provisions of Act, regulations or permit violated was listed as R645-528.330. Incomplete reference.							
. C							
Terminated because:							
Vacated because:				<del></del>			
JOHN GEFFERT		KARL HOUSKEEPER					
(Print) Permittee Representative (Print) DOGM Representative							
Permittee Representative's Signature - Date  DOGM Representative's Signature - Date						ate	
Refer to the "Citation For Non-Compliance" for additional information							